

REPLY

IN THE PROVINCIAL COURT OF BRITISH COLUMBIA (SMALL CLAIMS COURT)

- ☒ To a Claim
☐ To a Counterclaim

REGISTRY FILE NUMBER ROB-PC-1138247
REGISTRY LOCATION Vancouver

TO:

Copy the name, address and telephone number of the claimant from the Notice of Claim.

NAME **Cavliere Financial & Management Inc.** CLAIMANT(S)
ADDRESS **c/o Stewart Aulinger & Company, Barristers and Solicitors**
1200-805 West Broadway

CITY, TOWN, MUNICIPALITY **Vancouver** PROV. **British Columbia** POSTAL CODE **V5Z 1K1** TEL. # **604 879 0291**

FROM:

Fill in the name, address and telephone number of the defendant filing this reply.

NAME **Imogo Mobile Technologies Corp.** DEFENDANT
ADDRESS **c/o Shields Harney, Litigation Counsel**
490-1177 West Hastings Street

CITY, TOWN, MUNICIPALITY **Vancouver** PROV. **British Columbia** POSTAL CODE **V6E 2K3** TEL. # **604 891 1339**

DISPUTE:

Using the "HOW MUCH" section of the Notice of Claim as a guide, tell why you disagree with each part (a - e). If you agree with parts of the claim say so.

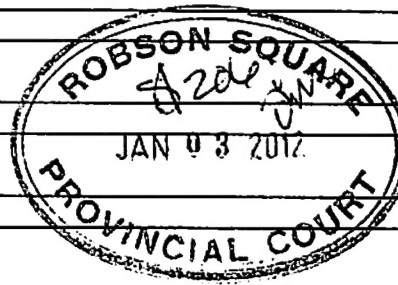
a Please see the attached.

b

c

d

e



AGREEMENT WITH THE CLAIM: I (NAME)

If you agree to pay all or part of what is claimed, make a proposal.

I could make the following payments:
(GIVE DATES AND AMOUNTS)

agree to pay \$

Please see the attached.

COUNTERCLAIM (YOU SHOULD ONLY FILL OUT THIS PART OF THE FORM IF YOU WISH TO MAKE A CLAIM AGAINST THE CLAIMANT) (THIS PART IS NOT TO BE USED WHEN REPLYING TO A COUNTERCLAIM)

WHAT HAPPENED? Please see the attached.

Briefly tell what has led to your counterclaim.

HOW MUCH?

Tell what you are claiming. If your counterclaim has more than one part, separate each part and fill in each individual amount, then add the individual amounts to make the total.

a Please see the attached. Breach of Contract \$20,000.00

b 03JAN12 120058 RDPD 20476 1138247 \$

c 03JAN12 120058 RDPD 20476 1138247 \$

EXTENDED: Jan 6/12	
WITH BANK REPLY <input checked="" type="checkbox"/>	
TRIAL STATEMENT <input type="checkbox"/>	
NOTICE <input type="checkbox"/>	
CLERK'S INITIALS [Signature]	
TOTAL \$20,000.00	
+ FILING FEES \$ 206.00	
= TOTAL CLAIMED \$20,206.00	

court copy

court copy

REPLY

DISPUTE

- a) The Defendant disputes any liability to the Claimant. The Claimant did not meet the terms of its engagement or obligations and is not entitled to any remuneration.
- b) The Claimant voluntarily terminated its relationship with the Defendant, and gave up all claims against the Defendant.
- c) Further, the Claimant misused confidential information, acted against the best interests of the Defendant and failed to deliver as promised.
- d) The Defendant has suffered damages as a result, which if the Claimant had a valid claim, which it does not, must be set off from that claim.
- e) If the Claimant had a valid claim, which is denied, it has not mitigated such.

AGREEMENT WITH THE CLAIM

The Defendant does not agree with the claim.

COUNTERCLAIM

- a) The Claimant did not act in best interests of the Defendant or its Shareholders. The Claimant failed to meet its obligations to the Defendant. The Defendant misused confidential information.
- b) As a result, the Defendant has suffered loss and damage.
- c) The Defendant also seeks punitive and exemplary damages.
- d) The amount of the Defendant's Counterclaim is not quantified at this time.